

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SAMUEL D. PECK, individually,
and as Representative of a Class
of Participants and Beneficiaries
of the Munson 403(b) Plan,

Plaintiff,

Case No. 1:22-cv-00294-PLM-PJG

MUNSON HEALTHCARE et al.,

Defendants

**PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION SETTLEMENT**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

Plaintiff Samuel D. Peck ("Plaintiff") respectfully moves the Court to: (1) preliminarily approve the Parties' Class Action Settlement Agreement in the above-referenced matter; (2) approve the proposed Settlement Notices and authorize distribution of the Notices to the Settlement Class; (3) preliminarily certify the Settlement Class for settlement purposes; (4) schedule a final approval hearing; (5) approve the Plan of Allocation; and (6) enter the accompanying Preliminary Approval Order.

This motion is made pursuant to Federal Rule of Civil Procedure 23(e) and is based on the accompanying Memorandum of Law and authorities cited therein, the Declaration of Paul M. Secunda and exhibits attached thereto (including the Settlement Agreement attached as **Exhibit 1**), the Declaration of Samuel D. Peck, and all files, records, and proceedings in this matter. Defendants join in the relief requested by Plaintiff's Motion for Preliminary Approval of Settlement.

Dated this 12th day of May, 2023

WALCHESKE & LUZI, LLC

s/ Paul M. Secunda

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2023, I caused a copy of the foregoing to be electronically filed with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

Dated: May 12, 2023

s/Paul M. Secunda
Paul M. Secunda